

WILLIAM S. BRADLEY DISTRICT I
RAYMOND J. NUTTING DISTRICT II
J. MARK NIELSEN DISTRICT III
WALTER L. SHULTZ DISTRICT IV
JOHN E. UPTON DISTRICT V
DIXIE L. FOOTE CLERK OF THE BOARD

330 Fair Lane • Placerville, CA 95667
Telephone (916) 621-5390



CONFIRMED

AGENDA

Regular Meeting of the Board of Supervisors

February 14, 1995

8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane, Building A, Placerville

J. MARK NIELSEN, Chairman Dixie L. Foote, Board Clerk
SUPERVISORS: BRADLEY, NUTTING, NIELSEN, SHULTZ AND UPTON
All members present

Persons wishing to speak on a Consent Calendar item are requested to so advise the Chairman or Clerk prior to 9:00 a.m. Public testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals representing a group are allocated 5 minutes. (Adptd 8/10/93) Matters not on the agenda may be addressed by the general public during the Open Forum at 9:00 a.m. Public comments during Open Forum are limited to five minutes per person. The Board reserves the right to waive said rules by a majority vote.

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

8:00 A.M. - CALL TO ORDER AND ADOPTION OF AGENDA

BOARD ACTION - Agenda and Addenda 1 and 2 adopted, with the addition of a closed session, pursuant to Government Code Section 54956.9(c), regarding initiation of litigation, Subpoena served to Ollie Reign, Director of Communications and Information Services, by the Grand Jury, relating to telephone records of a Supervisor.
BUNuNS

Closed Session (refer Closed Session Roster attached)

9:00 A.M. - PLEDGE OF ALLEGIANCE TO THE FLAG

OPEN FORUM

PRESENTATION of Resolution No. 46-95 recognizing the 75th Anniversary of the League of Women Voters. UNBNuS 11222

PRESENTATION of plaque to Sergeant Gene Bryant for his many years of service to the County of El Dorado. ✓

PRESENTATION of plaque to Walter J. Miller in recognition of his service to the County as District Attorney. ✓

CLOSED SESSION REPORTS (refer Closed Session Roster attached)

CONSENT CALENDAR (All Matters on the Consent Calendar are to be approved by one motion unless a Board member requests separate action on a specific item.)

- 1. Approval of Conformed Agenda (Minutes) of February 7, 1995 (on file with Clerk of the Board). ✓
RECOMMENDED ACTION: Approve
- 2. County Counsel recommending Chairman be authorized to sign Releases of Lien (4) (on file with Clerk of the Board). 11224
RECOMMENDED ACTION: Approve
- 3. Assessor recommending Chairman be authorized to sign Assessment Roll Changes (on file with Clerk of the Board). 11223
RECOMMENDED ACTION: Approve
- 4. El Dorado County Fire Chiefs' Association recommending the following be appointed to the Fire Advisory Board for a two year term: Tom Doyle, Leo Chaloux, John Walshaw, John Ceko and Richard Samples. 10269
RECOMMENDED ACTION: Approve appointments
- 5. Mental Health Department recommending the following pertaining to the Mental Health Commission: Appointment of Harvey Tullin, M.D., District I representative, for a term to expire 1/98; appointment of Marlene Gralicer, District IV representative, for a term to expire 1/98; and removal of Peggy Krapf, District I representative, whose term expires 1/96. 10744
RECOMMENDED ACTION: Approve

6. Social Services Department recommending Chairman be authorized to sign Application/Assurances Form to accept Federal Challenge Grant Funds in the amount of \$11,971 for Federal fiscal year 1994; and recommending Auditor/Controller be authorized to sign the Certification of County Children's Trust Fund Revenue Summary for State fiscal year 1993/94 for child abuse and neglect activities. 10644
RECOMMENDED ACTION: Approve
7. Public Defender recommending approval of Budget Transfer No. 638 increasing Appropriations and transferring funds from General Fund Contingency to pay current bills as a result of increased expenses for murder trials and a "Three Strikes" case. (4/5 vote required) 11231
RECOMMENDED ACTION: Approve NuUNBS
8. Treasurer/Tax Collector recommending Resolution No. 296-94 be amended to reflect the minimum bid for Item No. 50 on the public auction list of properties for APN 034-402-02-100 to be \$4,300. 10759
RECOMMENDED ACTION: Adopt Resolution No. 47-95
9. General Services Department recommending the Chairman be authorized to sign Applicant-State Agreement No. 03-94-14 with the State Department of Transportation for an environmental enhancement and mitigation program grant for the Lotus/Henningsen Park; and recommending approval of Budget Transfer No. 640 increasing Estimated Revenue by \$302,640 and transferring said amount to Appropriations for same. (4/5 vote required) 9565 11231
RECOMMENDED ACTION: Approve NuUNBS
10. Planning Department recommending approval of the final map for The Cottages (TM91-1245) for a commercial condominium subdivision in the Cameron Park Area; Applicant: Donna M. Gallagher. 10020
RECOMMENDED ACTION: Approve
11. Supervisor Nutting recommending appointment of Ken Bush as the District II representative to the Local Disaster Council for a term to expire January, 1997. 10150
RECOMMENDED ACTION: Approve appointment
12. Supervisor Nielsen recommending the Board accept the request of the Sleepy Hollow Owners Association to withdraw rezoning application 294-15. 11030
RECOMMENDED ACTION: Accept withdrawal

- 13. Clerk of the Board of Supervisors recommending that a policy be adopted whereby the Chairman and the Clerk of the Board may schedule an evening Board of Supervisors meeting on a particular matter upon receiving a request by a resident of the County.

11170

RECOMMENDED ACTION: Adopt policy

BOARD ACTION - Consent Calendar matters approved as recommended (items 7 and 9 acted upon separately); and Department Matters Item 53 added to the Consent Calendar and approved as part of same. UNuBNS

END CONSENT CALENDAR

DEPARTMENT MATTERS (At the time the Board acts upon the Consent Calendar, it may select individual Department Matters to be moved to the Consent Calendar for approval, absent objections and/or requests of staff or the public to speak to those matters.)

- 50. Board consideration of the following requests for waiver of development impact fees pursuant to Board Policy B-2:

- a. Diamond Springs/El Dorado Fire Protection District for construction of a new headquarters station in Diamond Springs; **BOARD ACTION** - Board approved the request for fee waiver in accordance with the County's existing Policy pertaining to same. UNBNuS

- b. Summitview Treatment Center for expansion of its facilities in Placerville; and **BOARD ACTION** - Board granted the application for waiver of impact fees pursuant to County policy, with the exception that the County will recover its Department of Transportation time and materials (T&M) charges used for the inspection of the project; and further, the Interim Chief Administrative Officer was requested to review the non-profit status as directed by the Board this date. NuUBNS

11268

- c. Kathryn J. Stephenson for construction of Diamond Villas, affordable housing for senior citizens. **BOARD ACTION** - Board approved a reduction of the Transportation TIM fees from \$36,000 to \$22,500 for said project using the formula outlined by staff this date, with further direction to staff to bring back a generalized policy at a later date to address this type of project. NuSBNU

51. Board consideration of a public/private partnership with El Dorado Hills Investors (General Partner: The Mansour Company) and Atlanta Precision Molding for a Rural Economic Development Infrastructure Program (REDIP) Loan. (Continued 2/7/95, Item 51)

BOARD ACTION - After acknowledging receipt this date of a letter from The Mansour Company, dated February 10, 1995, requesting the Board not to proceed with the REDIP loan and advising it is in support of the Bond Screening Committee report regarding personal property tax rebates pursuant to Revenue and Taxation (R&T) Code 5108; the Board, during its morning session, referred the two questions outlined in the letter submitted by Atlanta Precision Molding Co. (APM) (dated February 13, 1994), relating to R&T 5108 rebate of taxes, to County Counsel for review and report back to the Board. Further, the Board directed the Planning staff to schedule a hearing before the Board of Supervisors on March 21, 1995, (requested in said letter from APM); with County Counsel directed to meet with the Bond Screening Committee to review and address the R&T tax rebate issues. Further, the Board declared its intent to use the R&T 5108 tax mechanism, with the full mechanics of same to come back to the Board.

In addition, the Board, at the recommendation of County Counsel, trailed to later in the day, the matter of the R&T 5108 issues, to allow County Counsel to meet this date with the Bond Screening Committee to review said matter. UBNuS N(n)

During the afternoon session, the Board adopted the following recommendations of the Financial Subcommittee of the Bond Screening Committee as outlined on page two of County Counsel's memorandum submitted this date: Subject to and in accordance with the provisions of the statute as they exist today, the Board of Supervisors reaffirms its intent and willingness to utilize the provisions of Revenue and Taxation Code (R&T) section 5108 for qualified applicants; and the Assessor is requested to prepare for the **February 28, 1995** Board of Supervisors Agenda for consideration and adoption, proposed recommendations under a "what if" scenario regarding Atlanta Precision Molding's (APM) request for a maximum rebate pursuant to Revenue and Taxation Code section 5108. Further, the Bond Screening Committee is requested to provide an analysis of the public benefit and fiscal impact for the **February 28, 1995** agenda relative to APM's request, and the Interim Chief Administrative Officer is directed to agendize at the same time, a proposed policy for the R&T 5108 rebates.

SBNuNU

11246

52. Sheriff recommending the following pertaining to the Community Oriented Policing Accelerated Hiring, Education and Development (COPS AHEAD) Program:

a. Chairman be authorized to sign the Application for federal assistance for said program;

b. Resolution be adopted amending Authorized Personnel Allocation Resolution No. 246-94 adding one Sheriff's Sergeant position and two Deputy Sheriff I/II positions; and

c. Budget Transfer No. 637 be approved transferring \$8,123 from Contingency Reserve to the Sheriff's Department's Budget to accomplish same. (Interim Chief Administrative Officer recommending approval contingent upon amendment of contract document to include an opt-out provision as recommended by County Counsel; and Board direction that future funding for said program expansion be limited to funds available from growth in Proposition 172 Sales Tax. Cost forecasts do not include annual Proposition A salary adjustments, equipment, facilities, services and supplies or support staff. The department anticipates receiving subsequent Crime Bill grants to cover a portion of these unidentified costs and is aware of community efforts to donate a facility in Cameron Park/El Dorado Hills.)

BOARD ACTION - Continued to February 28, 1995, at the request of the Interim Chief Administrative Officer. NuUBNS

53. Transportation Department recommending Chairman be authorized to sign Extension to Agreement to Make Subdivision Improvements (2) for Vista Del Lago Unit Nos 1 and 2 extending the completion dates to December 31, 1996.

BOARD ACTION - Approved

UNuBNS

54. County Counsel recommending Ordinance be adopted repealing as of October 8, 1991, Ordinance No. 4179 which rezoned the KOA Campground property in the Shingle Springs Area (APN 319-220-15); and Resolution be adopted repealing, revoking, and rescinding as of October 8, 1991, Special Use Permit No. S90-26 for said KOA Campground; based on the finding said action is pursuant to court order (Case No. PV91-0736).

BOARD ACTION - Approved as recommended; and ORDINANCE NO. 4357 and RESOLUTION NO. 48-95 were adopted accordingly. NuSBNU

10450

8248

8887

TIME ALLOCATION - 10:00 A.M.

70. Supervisor Nielsen submitting request of the Cameron Park Baptist Church that APN 070-261-77-100 be excluded from the California Department of Fish and Game requirement that mitigation measures be undertaken to protect alleged rare plants; and recommending Board take such action as appropriate.

BOARD ACTION - Board directed the Planning Department to continue to process this particular Special Use Permit application, using the usual process, with State Fish & Game fees, and using the analysis of alternative mitigation (for the negative declaration) as discussed by the Board this date.

UBNuNS

11275

TIME ALLOCATION - 11:00 A.M.

Water Agency Meeting (refer to separate agenda)

COMMITTEE REPORTS

LUNCH RECESS


PERSONS INTERESTED IN SERVING ON ANY BOARD OF SUPERVISORS ADVISORY COMMITTEE/COMMISSION ARE ENCOURAGED TO COMPLETE AN APPLICATION FORM (AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS) AND SUBMIT SAME TO THE COMMITTEE, THE COUNTY DEPARTMENT WHICH SUPPORTS THE COMMITTEE, OR TO THE CLERK OF THE BOARD OF SUPERVISORS.

TIME ALLOCATION - 2:00 P.M.

- 80. Presentation by Ken Huff, Sacramento Area Council of Governments (SACOG), updating the Board on the U.S. 50 Corridor Major Investment Study (MIS). **11276**
BOARD ACTION - No action taken.


MEETING ADJOURNED

APPROVED:



 J. MARK NIELSEN, Chairman

ATTEST:



 DIXIE L. FOOTE, Clerk of the Board

Board of Supervisors invited to attend the El Dorado County Republican Women, Federated New Members Coffee at 10:00 a.m. on Wednesday, February 22, 1995, in the Alexandria Room at the Placerville Inn. ✓

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

February 14, 1995

8:00 A.M.

Closed Sessions have been scheduled to discuss the following pursuant to Government Codes cited:

1. Existing litigation pursuant to Government Code Section 54956.9 regarding the following:

- a. Bernard Carlson vs County of El Dorado Case No. PV94-0161;
(15 min)

BOARD ACTION - No action reported.

- b. Salois vs Ansley, et al, Case No. PV93-3459; and (10 min) ✓
BOARD ACTION - Board authorized its attorneys to receive and implement the matter so that the County is being dismissed in its entirety.

- c. County of El Dorado vs Travel Communications, Inc., et al;
Case No. PV94-0007.

BOARD ACTION - No action reported. (15 min)

UNuBNS

2. Closed Session added upon adoption of Agenda: Closed Session pursuant to Government Code Section 54956.9(c): Subpoena served to Ollie Reign, Director of Communications and Information Services, from the Grand Jury, for telephone records of a Supervisor. ✓

BOARD ACTION - No report out.

3. Closed Session added this date during meeting: Closed Session pursuant to Government Code Section 54956.9(c): initiation of litigation/Grand Jury matter. BUNuNS

BOARD ACTION - At the beginning of the afternoon session, after meeting in closed session, the Board approved the transfer of \$30,000 from Contingency to permit employment of one Deputy District Attorney to assist the Grand Jury. 10561

UBNuNS

County of El Dorado

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A G E N D A A D D E N D U M N O . 1

February 14, 1995

8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane, Building A, Placerville

Closed Session to confer with or receive advice pursuant to Government Code Section 54956.9(c) regarding initiation of litigation. (15 min) ✓

BOARD ACTION - No action reported.

County of El Dorado

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A G E N D A A D D E N D U M N O . 2

February 14, 1995

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BOARD OF SUPERVISORS MEETING ROOM
 330 Fair Lane, Building A, Placerville

DEPARTMENT MATTERS

55. Supervisor Nutting requesting Board direction to staff regarding the appropriate handling of the draft economic policy.

BOARD ACTION - Board requested the Planning Commission to recommend back to the Board, as quickly as possible, as to whether or not to include the economic development element into the General Plan; and if so, how to do so; conceptually approved an addendum to the public review draft, and conceptually approved that it be Board policy, adhering to the Charter; and that said economic development element document be made available to the public during the hearings; and directed that the Planning Commission deal with this issue for its ultimate disposition.

USBNU N(n)

9399